

Notice of Allowability

Application No.

10/699,995

Examiner

Jerome W. Donnelly

Applicant(s)

WEBBER ET AL.

Art Unit

3764

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Telephone interview dated 11/21/07
2. ☒ The allowed claim(s) is/are 23, 5, 6, 8, 10, 12, 14, 15, 17-27, 30, 32, 33, 35-42 and 46-49
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08)
Paper No./Mail Date 2/12/04 9/17/07 8/9/07 11/20/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JEROME DONNELLY
PRIMARY EXAMINER

Art Unit: 3764

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Katherine Proctor on 11/20/07.

In claims 1, 5, 8, 30, 33, 35 and 39 delete "10" and insert in it's place ----36----

In claim 10, starting in line 1, delete "A rigid arm ... chin up exercise"; ending in line 13.

Insert a new line 1 ---The machine as claimed in claim 36, wherein";

In line 14, delete "having" and insert in it's place ---have---

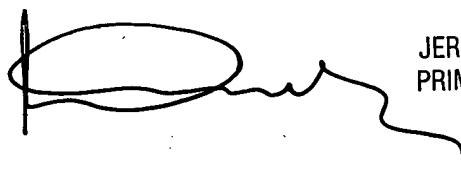
In claim 35, starting in line 1, delete "a base, the ... base, and--- ending in line 2.

Cancel claim 4, 7, 11, 13, 16, 28, 29, 31, 34, 43, 44, 50 and 56.

Claims 21, 24, 27, 33, 38, 39, 42 and 44 are dependent on an allowed claim and are rejoined and reinstated in the application.

Any inquiry concerning this communication should be directed to Jerome Donnelly at telephone number (571)272-4348.

Jerome Donnelly

A handwritten signature in black ink, appearing to read 'Jerome Donnelly', with a large, stylized loop at the beginning.

JEROME DONNELLY
PRIMARY EXAMINER